

THOMAS E. FRANKOVICH (State Bar #074414)
 THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION
 4328 Redwood Hwy, Suite 300
 San Rafael, CA 94903
 Telephone: 415/674-8600
 Facsimile: 415/674-9900

Attorney for Plaintiff,

UNITED STATES DISTRICT COURT
 DISTRICT OF CALIFORNIA

CRAIG YATES, an individual,

Plaintiff,

v.

BILL'S PLACE; RONALD J. MIGUEL
 and RUTH I. MIGUEL, trustees of the
 RONALD J. and RUTH I. MIGUEL 1991
 REVOCABLE TRUST; and DON D.
 DURHAM, an individual dba BILL'S
 PLACE

Defendants.

CASE NO. CV-11-4966-JCS

**STIPULATION OF DISMISSAL OF
 ACTION WITH PREJUDICE**

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(2). Outside of the terms of the Settlement Agreement and General Release ("Agreement") herein, each party is to bear its own costs and attorneys' fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

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STIPULATION OF DISMISSAL OF ACTION WITH PREJUDICE

CASE No. CV-11-4966-JCS

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3 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through
4 their designated counsel that the above-captioned action become and hereby is dismissed with
5 prejudice pursuant to Federal Rules of Civil Procedure 41(a)(2).

6 This stipulation may be executed in counterparts, all of which together shall constitute
7 one original document.
8

9 Dated: February 21, 2013

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

11 By: /s/ Thomas E. Frankovich
12 Thomas E. Frankovich
13 Attorney for CRAIG YATES, an individual
14

15 Dated: February 21, 2013

JASON G. GONG, ESQ.
LAW OFFICE OF JASON G. GONG

17 By: /s/ Jason G. Gong
18 Jason G. Gong
19 Attorneys for Defendants RONALD J. MIGUEL
20 and RUTH I. MIGUEL, trustees of the RONALD J.
21 and RUTH I. MIGUEL 1991 REVOCABLE
22 TRUST; and DON D. DURHAM, an individual dba
23 BILL'S PLACE
24

25 Dated: 5/16/13

